



BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY  
FEDERAL ENERGY REGULATORY COMMISSION

Silt Water Conservancy District

Project No. 14342-000

NOTICE OF APPLICATION ACCEPTED FOR FILING  
AND SOLICITING COMMENTS, MOTIONS TO INTERVENE, PROTESTS,  
RECOMMENDATIONS, AND TERMS AND CONDITIONS

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. Type of Application: Conduit Exemption
- b. Project No.: 14342-000
- c. Date filed: January 5, 2012
- d. Applicant: Silt Water Conservancy District
- e. Name of Project: Harvey Gap 50 Hydroelectric Project
- f. Location: The proposed Harvey Gap 50 Project would be located on the existing Grass Valley Canal in Garfield County, Colorado. The applicant holds an easement for all land on which the project structures will be located.
- g. Filed Pursuant to: Federal Power Act 16 USC 791a - 825r
- h. Applicant Contacts: Dan Cokley, Schmueser Gordon Meyer, 118 W 6th Street, Glenwood Springs, CO 81601; Mr. Ryan Broshar, SRA International, 12600 Colfax Ave. W., Lakewood, CO 80304, (303) 233-1275.
- i. FERC Contact: Christopher Chaney, (202) 502-6778, [christopher.chaney@ferc.gov](mailto:christopher.chaney@ferc.gov)
- j. Status of Environmental Analysis: This application is ready for environmental analysis at this time, and the Commission is requesting comments, reply comments, recommendations, terms and conditions, and prescriptions.

k. Deadline for filing responsive documents: Due to the small size of the proposed project, as well as the resource agency consultation letters filed with the application, the 60-day timeframe specified in 18 CFR 4.34(b) for filing all comments, motions to intervene, protests, recommendations, terms and conditions, and prescriptions is shortened to 30 days from the issuance date of this notice. All reply comments filed in response to comments submitted by any resource agency, Indian tribe, or person, must be filed with the Commission within 45 days from the issuance date of this notice.

Comments, protests, and interventions may be filed electronically via the Internet in lieu of paper; see 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's website under <http://www.ferc.gov/docs-filing/efiling.asp>. The Commission strongly encourages electronic filings.

The Commission's Rules of Practice and Procedure require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, it must also serve a copy of the document on that resource agency.

l. Description of Project: The Harvey Gap 50 Project would consist of: (1) a proposed powerhouse containing one generating unit with an installed capacity of between 50 and 75 kilowatts; and (2) appurtenant facilities. The applicant estimates the project would have an average annual generation of 410,000 kilowatt-hours.

m. This filing is available for review and reproduction at the Commission in the Public Reference Room, Room 2A, 888 First Street, NE, Washington, DC 20426. The filing may also be viewed on the web at <http://www.ferc.gov/docs-filing/elibrary.asp> using the "eLibrary" link. Enter the docket number, P-14342, in the docket number field to access the document. For assistance, call toll-free 1-866-208-3676 or e-mail [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov). For TTY, call (202) 502-8659. A copy is also available for review and reproduction at the address in item h above.

n. Development Application -- Any qualified applicant desiring to file a competing application must submit to the Commission, on or before the specified deadline date for the particular application, a competing development application, or a notice of intent to file such an application. Submission of a timely notice of intent allows an interested person to file the competing development application no later than 120 days after the specified deadline date for the particular application. Applications for preliminary permits will not be accepted in response to this notice.

o. Notice of Intent -- A notice of intent must specify the exact name, business address, and telephone number of the prospective applicant, and must include an unequivocal

statement of intent to submit a competing development application. A notice of intent must be served on the applicant(s) named in this public notice.

p. Protests or Motions to Intervene -- Anyone may submit a protest or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, 385.211, and 385.214. In determining the appropriate action to take, the Commission will consider all protests filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any protests or motions to intervene must be received on or before the specified deadline date for the particular application.

q. All filings must (1) bear in all capital letters the title "PROTEST", "MOTION TO INTERVENE", "NOTICE OF INTENT TO FILE COMPETING APPLICATION", "COMPETING APPLICATION", "COMMENTS", "REPLY COMMENTS," "RECOMMENDATIONS," "TERMS AND CONDITIONS," or "PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. Any of these documents must be filed by providing the original and seven copies to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. An additional copy must be sent to Director, Division of Hydropower Administration and Compliance, Office of Energy Projects, Federal Energy Regulatory Commission, at the above address. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

r. Waiver of Pre-filing Consultation: On August 29, 2011, the applicant requested the agencies to support the waiver of the Commission's consultation requirements under 18 CFR 4.38(c). On September 1 and 23, and October 28, 2011, the Colorado Water Quality Control Division, the Colorado Division of Water Resources, and the U.S. Fish and Wildlife Service, respectively, concurred with this request. On September 15, 2011 the Colorado State Historic Preservation Officer (SHPO) requested additional information. The applicant provided the additional information on November 22, 2011, and the SHPO provided additional comments on December 6, 2011. No other comments regarding the request for waiver were received. Therefore, we intend to accept the consultation that has occurred on this project during the pre-filing period and we intend to waive pre-filing consultation under section 4.38(c), which requires, among other things,

conducting studies requested by resource agencies, and distributing and consulting on a draft exemption application.

Dated: June 6, 2012

Kimberly D. Bose,  
Secretary.

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